

**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD**

(Special Original Jurisdiction)

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FRIDAY, THE TWENTYEIGHTH DAY OF DECEMBER
TWO THOUSAND AND SEVEN

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P R E S E N T

THE HON'BLE SRI JUSTICE P.S. NARAYANA

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WRIT PETITION No.28156 of 2007

Between:

Janni @ Pekapu Trinadha & Ors. ... Petitioners

Versus

**The Deputy Commissioner
Endowments Department,
Visakhapatnam & Anr. ... Respondents**

Counsel for the Petitioners: Sri S. SATYAM REDDY

**Counsel for the Respondents: GOVT.PLEADER FOR CIVIL
SUPPLIES**

THE HON'BLE SRI JUSTICE P.S. NARAYANA

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WRIT PETITION No.28156 of 2007

ORDER:

Heard both the counsel. The matter is coming up 'for admission'.

2. The writ petition is filed for a writ of mandamus, declaring the action of the first respondent in not passing the orders on petitioners representation dated 23-4-2007 for appointment of one of the petitioners as a founder trustee to Sri Polamamba Ammavari Temple situated at Sambara village of Makkuva Mandal, Vizianagaram district, as arbitrary and illegal and consequently to direct the respondents to dispose of the representation dated 23-4-2007 by appointing one of the petitioners as Founder Trustee of Sri Polamamba Ammavari temple situated at Sambara village of Makkuva Mandal, Vizianagaram district and to pass such other suitable orders as this Court may deem fit and proper in the circumstances of the case.

3. It is stated that the petitioners are tribals. "Polamamba Ammavaru" was an ancestor of the petitioners family and she was respected by all the villagers and after demise, the ancestors of the petitioners have installed the idol of Ammavaru

and have been performing pooja and rituals. The temple is situated in a part of the house of the petitioners in Sambara village, Makkuva Mandal.

4. Further it is stated that a jathara is held in the third week of January every year and thousands of devotees visit the temple. The said temple had been brought under the purview of the Endowments Department as 'B' category temple as per the Endowments Act.

5. It is also stated that the first respondent is required to constitute a trust board under section 15 of the Endowments Act. It is stated that the petitioners have made a representation on 23-4-2007 to the first respondent to consider their claim for appointment as trustees being the members of the family of the founders. But so far the first respondent had not taken any action and did not pass any order on the representation of the petitioners, which was filed under section 87 of the AP Charitable and Hindu Religious Institutions and Endowments Act, 1987.

6. In view of the facts and circumstances, let the first respondent dispose of the representation dated 23-4-2007 of the petitioners and pass appropriate orders on merits and in accordance with law, within a period of four weeks from the date

of receipt of a copy of this order.

7. The writ petition is disposed of at the stage of admission.

No costs.

JUSTICE P . S .

NARAYANA .

28/12/2007.

NB:

1) Operative Portion of the Order by wire at party's costs.

2) Furnish CC of the order tomorrow.

B/o. ISL